

Charles B. Deull  
Senior Vice President  
General Counsel

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March 24, 2003

**Via Electronic Delivery**

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
Office of the Secretary  
445-12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: Ex Parte Notice- Rules and Regulations Implementing the Telephone  
Consumer Protection Act of 1991, CG Docket No. 02-278, CC Docket  
No. 92-90**

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Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Commission's Rules, 47 CFR 1.1206, Scholastic Inc. ("Scholastic") submits this letter to report on the meeting that took place on March 21, 2003.

Specifically, Charles Deull, SVP General Counsel and Corporate Secretary of Scholastic, Ken Mahoney, SVP- Marketing, Scholastic at Home, of Scholastic, Karen Proctor, VP Community Affairs and Government Relations, of Scholastic and Bibb Hubbard, Director Segment Marketing and Legislative Affairs, of Scholastic, met with K. Dane Snowden, Chief of Consumer and Government Affairs Bureau of the FCC, Richard D. Smith, Acting Division Chief, Policy Division, Margaret Egler, Deputy Bureau Chief, Policy Division and Gene Fullano, Legal Advisor to Bureau Chief.

During this meeting, Scholastic described its rational for an educational materials exemption to the proposed Do Not Call ("DNC") legislation. Specifically, Scholastic believes that an unintended consequence of the DNC legislation will be to deprive

families of access to low cost educational materials. We believe that people who sign up on the DNC list do not know that they will lose access to such educational materials. Consequently, an educational materials exemption is necessary to avoid this unintended detrimental consequence to consumers. Such exemption has already been recognized and implemented in other legislation and rule making. We further believe that an educational materials exemption is consistent with the exemption for charitable fundraising and governmental policies promoting literacy.

An original and one copy of this Ex Parte Notice are hereby being filed with the Commission. If you have questions concerning this notice, please do not hesitate to contact the undersigned.

Respectfully submitted,

Charles B. Deull

cc:

Chief, K. Dane Snowden  
Legal Advisor to Bureau Chief, Gene Fullano  
Acting Division Chief, Richard D. Smith  
Deputy Bureau Chief, Margaret Egler